

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL APPLICATION NO.3557 OF 2005

Shri. Amol Vinayak Teredesai ...Applicant

V/s.
The State of Maharashtra ...Respondent

Shri. S.P.Kadam for the Applicant.
Mr.R.Y.Mirza A.P.P. for the Respondent.

**CORAM: A.S. OKA, J.
DATED: JUNE 13, 2005.**

P.C.:

1. Heard counsel appearing for the parties. The offence has been registered against the Applicant at Dombivali Police Station. The allegation against the Applicant is of commission of offences punishable under sections 306, 498-A read with section 34 of the Indian Penal Code.

2. The applicant married to the daughter of the complainant by name Aditi on 8th December, 2004. The allegation against the Applicant is that the Applicant was harassing her from the beginning. The Applicant was trying to doubt her character and was preventing the Applicant from meeting people. The case is that

in January 2005 deceased Aditi made a grievance about the illtreatment received at the hands of the Applicant and his mother when she was residing with her parents for a period of two days. The case of the prosecution is that on 5th April, 2005 the deceased committed suicide by hanging herself on ceiling fan. The F.I.R., was filed against the Applicant and his mother. They were arrested on 5th April, 2005. Now the investigation has been completed and chargesheet has been filed.

3. The learned Counsel appearing for the Applicant submitted that a note was found written by the deceased before committing suicide. In the said note it is allegedly written by the deceased that she had committed mistakes in her life and she was committing suicide due to no fault on the part of her husband. It is stated in the note that husband should not be harassed. The learned Counsel submitted that the hand-writing of the deceased in the said note has been admitted.

4. The learned A.P.P. appearing for the State submitted that the allegations against the Applicant are of serious nature and if the Applicant is enlarged on bail he may try to harass the prosecution witnesses

who were staying in the close vicinity of his residence. He submitted that no case is made out for grant of bail.

5. At this stage the learned counsel for the Applicant stated that if bail is granted in favour of the Applicant he will not enter the territorial limits of the jurisdiction of the Dombivali Police Station till the conclusion of trial. He has disclosed the place of residence of the Applicant at Bhandup where he proposes to stay in case he is enlarged on bail. The said address reads thus:

Shri. Amol V. Teredesai,
C/o. Shri. Shamrao Ramrao Jadhav,
9, Prabodhan Niwas, Jokin Compound,
Pratap Nagar, Bhandup (W), Mumbai.

He states that the Applicant will continue to reside at the said address mentioned above till disposal of the trial.

6. I have considered the rival submissions. I have perused the copies of the statements and other material produced alongwith the chargesheet.

7. The statement of the father of the deceased shows that he has identified the handwriting of his daughter deceased Aditi in the note which was found with the

deceased. He stated that deceased has written the note out of love for her husband. The note records that she has committed several mistakes and her in-laws should not be blamed for her suicide.

8. As stated earlier investigation is completed and chargesheet is filed and the Applicant has offered to stay away from the localities where the witnesses are residing. Hence, case is made out for grant of bail.

9. Hence, I pass the following order:

: O R D E R :

i) The Applicant shall be enlarged on bail subject to Applicant furnishing P.R. Bond in the sum of Rs.20,000/- with two local sureties staying within the jurisdiction of the Dombivali Police Station subject to condition that after the Applicant is enlarged on bail he will stay at the address below:

Shri. Amol V. Teredesai,
C/o.Shri. Shamrao Ramrao Jadhav,
9, Jokin Compound, Pratap Nagar,
Bhandup(W), Mumbai.

and shall not enter the jurisdiction of the Dombivali Police Station till the final decision of the trial without permission of the Trial Court.

ii) The bail is granted subject to condition that the Applicant will report to Officer Incharge of Bhandup Police Station, Mumbai on every Sunday from 3.00p.m., to 5.00 p.m. The bail is also granted subject to condition that the Applicant will not change his residential address without seeking permission of the Trial Court. The Applicant will not make any effort to influence or pressurise any prosecution witnesses and will not tamper with the prosecution evidence. The Applicant will co-operate with learned Trial Judge for early disposal of the trial.

iii) It is made clear that the observations which are made herein are for limited purposes of considering the prayer made for the grant of bail and the Trial Court will not be bound by the said observations at the trial.

iv) The Application is disposed of in above terms.

v) Parties to act on an authenticated copy of this order.

JUDGE